

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

MICROSOFT CORPORATION, a Washington
corporation,

Plaintiff,

v.

L & Y ELECTRONICS, INC., a Virginia corporation,
JOHN A LINTON, an individual, and SANGSOON
LINTON, an individual,

Defendants.

Civil Action No. 1:08cv00596-GBL-
JFA

**PLAINTIFF MICROSOFT CORPORATION'S RESPONSE TO DEFENDANT
SANGSOON LINTON'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

REQUEST NO. 1:

Complete registration application for copyright registration for Microsoft Office
Professional Edition 2003" including all attachments.

RESPONSE 1:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 2:

Copy of all United States Copyright Office office actions and responses for obtaining copyright certificate of registration for "Microsoft Office Professional Edition 2003."

RESPONSE 2:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 3:

Copy of all contracts, documents and assignments assigning and/or transferring ownership of any intellectual property associated with "Microsoft Office Professional Edition 2003" to you or any of your business entities.

RESPONSE 3:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent it seeks information

protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 4:

Complete registration application for copyright registration for Microsoft Office Excel 2003" including all attachments.

RESPONSE 4:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 5:

Copy of all United States Copyright Office office actions and responses for obtaining copyright certificate of registration for Microsoft Office Excel 2003."

RESPONSE 5:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's

ownership of valid copyrights. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 6:

Copy of all contracts, documents and assignments assigning and/or transferring ownership of any intellectual property associated with "Microsoft Office Excel 2003" to you or any of your business entities.

RESPONSE 6:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 7:

Complete registration application for copyright registration for "Microsoft Office Outlook 2003" including all attachments.

RESPONSE 7:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this Request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 8:

Copy of all United States Office office actions and responses for obtaining copyright certificate of registration for "Microsoft Office Outlook 2003."

RESPONSE 8:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 9:

Copy of all contracts, documents and assignments assigned and/or transferring ownership

of any intellectual property associated with Microsoft Office Outlook 2003' to you or any of your business entities.

RESPONSE 9:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights.. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 10:

Complete registration application for copyright registration for "Microsoft Office PowerPoint 2003" including all attachments.

RESPONSE 10:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 11:

Copy of all United States Copyright Office office actions and responses for obtaining copyright certificate of registration for "Microsoft Office PowerPoint 2003."

RESPONSE 11:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 12:

Copy of all contracts, documents and assignments assigning and/or transferring ownership of any intellectual property associated with "Microsoft Office PowerPoint Edition 2003" to you or any of your business entities.

RESPONSE 12:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent it seeks information

protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 13:

Complete registration application for copyright registration for "Microsoft Office Word 2003" including all attachments.

RESPONSE 13:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 14:

Copy of all United State Copyright Office office actions and responses for obtaining copyright certificate of registration for "Microsoft Office Word 2003."

RESPONSE 14:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's

ownership of valid copyrights. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 15:

Copy of all contracts, documents and assignments assigned and /or transferring ownership of any intellectual property associated with "Microsoft Office Word 2003" to you or any of your business entities.

RESPONSE 15:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 16:

Complete registration application for copyright registration for "Microsoft Publisher 2003" including all attachments.

RESPONSE 16:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 17:

Copy of all United States Copyright Office office actions and responses for obtaining copyright certificate of registration for "Microsoft Publisher 2003."

RESPONSE 17:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 18:

Copy of all contracts, documents and assignments assigning and/or transferring

ownership of any intellectual property associated with "Microsoft Publisher 2003" to you or any of your business entities.

RESPONSE 18:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 19:

Complete registration application for copyright registration for "Business Contact Manager for Microsoft Office Outlook 2003" including all attachments.

RESPONSE 19:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 20:

Copy all of United States Copyright Office office actions and responses for obtaining copyright certificate of registration for "Business Contact Manager for Microsoft Office Outlook 2003."

RESPONSE 20:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 21:

Copy of all contracts, documents and assignments assigned and/or transferring ownership of any intellectual property associates with "Business Contact Manager for Microsoft Office Outlook 2003" to you or any of your business entities.

RESPONSE 21:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence copyright registrations themselves evidence Microsoft's

ownership of valid copyrights. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 22:

Complete registration application for copyright registration for "Microsoft Office Access 2003" including all attachments.

RESPONSE 22:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 23:

Coy of all United States Copyright Office office actions and responses for obtaining copyright certificate of registration for "Microsoft Office Access 2003."

RESPONSE 23:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the

discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 24:

Copy of all contracts, documents and assignments assigning and/or transferring ownership of any intellectual property associated with "Microsoft Office Access 2003" to you or any of your business entities.

RESPONSE 24:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; copyright registrations themselves evidence Microsoft's ownership of valid copyrights. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 25:

Copy of all United States Patent and Trademark Office filings, correspondence, office actions and responses for obtaining trademark registration number 1,200,236 for

"MICROSOFT."

RESPONSE 25:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; marks in continuous use by Microsoft for over five years since registration are incontestable. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 26:

Copy of all contracts, documents and assignments assigning and/or transferring ownership of any intellectual property associated with trademark registration number 1,200,236 to you or any of your business entities.

RESPONSE 26:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; marks in continuous use by Microsoft for over five years since registration are incontestable. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade

secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 27:

Copy of all United States Patent and Trademark Office filing, correspondence, office actions and responses for obtaining trademark registration number 1,256,083 for "MICROSOFT."

RESPONSE 27:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; marks in continuous use by Microsoft for over five years since registration are incontestable. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 28:

Copy of all contracts, documents and assignments assigning and/or transferring ownership of any intellectual property associated with trademark registration number 1,256,083 to you or any of your business entities.

RESPONSE 28:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks

information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; marks in continuous use by Microsoft for over five years since registration are incontestable. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 29:

Copy of all United States Patent and Trademark Office filings, correspondence, office actions and responses for obtaining trademark registration number 1,872,264 for "WINDOWS."

RESPONSE 29:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; marks in continuous use by Microsoft for over five years since registration are incontestable. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 30:

Copy of all contracts, documents and assignments assigning and/or transferring ownership of any intellectual property associated with trademark registration number 1,872,264

to you or any of your business entities.

RESPONSE 30:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; marks in continuous use by Microsoft for over five years since registration are incontestable. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 31:

Copy of all United States Patent and Trademark Office filing, correspondence, office actions and responses for obtaining trademark registration number 2,744,843 for "A FLAG DESIGN."

RESPONSE 31:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; marks in continuous use by Microsoft for over five years since registration are incontestable. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade

secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 32:

Copy of all contracts, documents and assignments assigning and/or transferring ownership of any intellectual property associated with trademark registration number 2,744,843 to you or any of your business entities.

RESPONSE 32:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; marks in continuous use by Microsoft for over five years since registration are incontestable. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 33:

Copy of all United States Patent and Trademark Office filings, correspondence, office actions and responses for obtaining trademark registration number 1,475,795 for "POWERPOINT."

RESPONSE 33:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks

information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; marks in continuous use by Microsoft for over five years since registration are incontestable. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 34:

Copy of all contracts, documents and assignments assigning and/or transferring ownership of any intellectual property associated with trademark registration number 1,475,795 to you or any of your business entities.

RESPONSE 34:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; marks in continuous use by Microsoft for over five years since registration are incontestable. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 35:

Copy of all United States Patent and Trademark Office filings, correspondence, office

actions and responses for obtaining registration number 1,741,086 for "MICROSOFT ACCESS."

RESPONSE 35:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; marks in continuous use by Microsoft for over five years since registration are incontestable. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 36:

Copy of all contracts, documents and assignments assigning and/or transferring ownership of any intellectual property associated with the trademark registration number 1,741,086 to you or any of your business entities.

RESPONSE 36:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; marks in continuous use by Microsoft for over five years since registration are incontestable. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade

secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 37:

Copy of all United States Patent and Trademark Office filings, correspondence, office actions and responses for obtaining trademark registration number 2,188,125 for "OUTLOOK."

RESPONSE 37:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence; marks in continuous use by Microsoft for over five years since registration are incontestable. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 38:

Copy of all contracts, documents and assignments assigning and/or transferring ownership of any intellectual property associated with trademark registration number 2,188,125 to you or any of your business entities.

RESPONSE 38:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the

discovery of admissible evidence; marks in continuous use by Microsoft for over five years since registration are incontestable. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 39:

Copy of all United States Patent and Trademark Office filings, correspondence, office actions and responses for obtaining trademark registration number 2,999,281 for "FOUR SQUARE CROSS-SECTION SOLIDS."

RESPONSE 39:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

REQUEST NO. 40:

Copy of all contracts, documents and assignments assigning and/or transferring ownership of any intellectual property associated with trademark registration number 2,999,281 to you or any of your business entities.

RESPONSE 40:

Microsoft objects to this request on the grounds it is vague and ambiguous. Microsoft further objects to this request on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Microsoft objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege. Microsoft objects to this request to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

Dated: September 19, 2008

Respectfully submitted

By: 

JOHN K. ROCHE, ESQ.

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Attorneys for Plaintiff
MICROSOFT CORPORATION

CERTIFICATE OF SERVICE

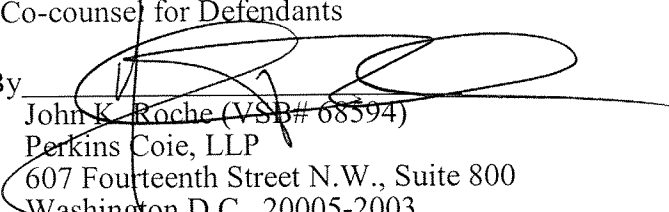
I hereby certify this 19th day of September, 2008, the foregoing has been sent to the following individuals via electronic mail and U.S. Mail:

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